

COMDTNOTE 5354  
12 MAR 2002

COMMANDANT NOTICE 5354

CANCELED: 11 MAR 2003

Subj: REPORTING RESPONSIBILITIES--COMPLAINTS, TRAINING, COUNSELING, AND ADR  
ACTIVITY

Ref: (a) Coast Guard Equal Opportunity Program Manual, COMDTINST M5350.4

1. PURPOSE. This notice revises the frequency of reporting responsibilities for Equal Opportunity Advisors (EOAs), Equal Employment Opportunity (EEO) Counselors, and Civil Rights Officers (CROs). It prescribes the procedures for reporting on complaint processing, training, counseling, and Alternative Dispute Resolution (ADR) activity, in accordance with new directives from the Department of Transportation for supplying information required by the Equal Employment Opportunity Commission.
2. ACTION. Area and district commanders, commanders of maintenance and logistics commands (MLCs), and commanding officers of Headquarters units shall ensure that EOAs, EEO Counselors, and full-time CROs supply the specified information in accordance with the following instructions and timeframes. Internet release authorized
3. DIRECTIVES AFFECTED. The provisions of this notice will be incorporated into the next iteration of reference (a).
4. DISCUSSION.
  - a. Sections 2.D.1, 4.B.11, 4.B.12, 4.B.13, and 5.C19 of reference (a) requires full-time CROs to consolidate discrimination complaint counseling, training, and ADR activity information received from Military Civil Rights Counselors/Facilitators (MCRC/Fs, now known as EOAs) and EEO Counselors for periodic reports to Commandant (G-HI) on the "Quarterly Complaints and Training Report" and the "Annual Report on EEO Counseling Activity."

DISTRIBUTION – SDL No. 139

	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x	y	z
A	1	1	1		1	1	1		1	1		1	1	1	1	1	1		1		1					
B	1	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
C	1	1	1	1	1	1	1	1	1	1			1	1	1		1	1		1	1	1	1	1	1	1
D	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1			1
E	1	1	1					1		1	1	1	1	1	1		1		1	1			1			
F																	1	1	1							
G	1	1	1	1	1																					
H																										

NON-STANDARD DISTRIBUTION:

- b. The full-time CROs are those assigned to MLC Atlantic, MLC Pacific, Headquarters Support Command, Engineering Logistics Center Baltimore, and the U. S. Coast Guard Academy.
  - c. By memorandum dated 27 July 2001, the Department of Transportation Office of Civil Rights has required the Assistant Commandant for Civil Rights, U.S. Coast Guard, to provide additional information about ADR-related activities and resources, including ADR awareness training, in its statistical reports to the Department on discrimination complaints. The memorandum also required the Coast Guard to increase the frequency of such reports from annually to quarterly.
  - d. The Coast Guard's "Annual Report on EEO Counseling Activity" has been renamed the "Quarterly Report on EEO Counseling and ADR Activity" and, together with the "Quarterly Complaints and Training Report," has been revised to satisfy the Coast Guard's increased reporting responsibilities. Both revised forms are enclosed.
  - e. The revisions in the enclosures will accommodate electronic completion and submission, thereby reducing the administrative burden and maximizing the use of technology.
5. PROCEDURE:
- a. EOAs and EEO Counselors shall henceforth prepare quarterly, noncumulative data, as required by the enclosures, and submit the data to their respective full-time CROs no later than the fifth calendar day following the end of each fiscal quarter (i.e., every 5 January, 5 April, 5 July, and 5 October).
  - b. The full-time CROs shall consolidate the data received from EOAs and EEO Counselors and submit the completed enclosures to Commandant (G-HI), no later than the tenth calendar day following the end of each fiscal quarter (i.e., every 10 January, 10 April, 10 July, and 10 October).
6. REPORT/FORMS AVAILABILITY: The enclosed reporting forms will be available electronically on the Civil Rights Directorate website, //cgweb.uscg.mil, on or before the end of the next reporting period on 31 March 2002.

W. R. Somerville  
Assistant Commandant for Civil Rights

Encl: (1) Quarterly Complaints and Training Report  
(2) Quarterly Report on EEO Counseling and ADR Activity

## QUARTERLY COMPLAINTS AND TRAINING REPORT

## PART I: CIVILIAN INFORMAL COMPLAINTS

This report covers **civilian** complaints in the ☐ Quarter of Fiscal Year \_\_\_\_\_

EEO Counselor or GRO Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Unit: \_\_\_\_\_ Area of Responsibility: \_\_\_\_\_

**\*\* NOTE:** This report is due by the 5<sup>th</sup> calendar day after the end of each quarter and should be sent to the full-time servicing GRO (at MLC PAC/MLCLANT/Academy/Headquarters Support Command/ELC Baltimore) via e-mail or fax. GROs must consolidate the information submitted by the EEO counselors in their AORs and e-mail this form to G-HI no later than the 10<sup>th</sup> calendar day after the end of each quarter.

Total # of **initial** discrimination-related **contacts** in: 1<sup>st</sup> Qtr: ☐ 2<sup>nd</sup> Qtr: ☐ 3<sup>rd</sup> Qtr: ☐ 4<sup>th</sup> Qtr: ☐

**\*\* NOTE:** These include any **initial contact with an EEO Counselor** where specific allegations are discussed in the context of issues and bases of discrimination prohibited under the pertinent federal laws against discrimination, **even if the contact results in the conclusion that the allegations are not an EEO matter and no further inquiry is warranted.** Initial contact occurs on the date the aggrieved person first contacted the **EEO Counselor** to request counseling, tolls the 45-day period within which counseling must be requested, and triggers the 30-day period within which counseling must be completed.

Total # of **informal complaints** received in: 1<sup>st</sup> Qtr: ☐ 2<sup>nd</sup> Qtr: ☐ 3<sup>rd</sup> Qtr: ☐ 4<sup>th</sup> Qtr: ☐

**\*\* NOTE:** These are limited to potential complaints that have proceeded to the point in the pre-complaint counseling phase where **the aggrieved person elects either the ADR option or an informal inquiry leading to the EEO Counselor's informal resolution efforts.**

	BASES OF DISCRIMINATION ALLEGED IN INFORMAL COMPLAINTS										
ISSUE(S) OF ALLEGED DISCRIMINATION	RACE	COLOR	RELIGION	NAT'L ORIGIN	SEX		REPRISAL	AGE	DISABILITY	SEXUAL ORIENTATION	TOTAL
					M	F					
APPOINTMENT/HIRE											
ASSIGNMENT OF DUTIES											
AWARDS											
DISCIPLINARY ACTION											
DUTY HOURS											
EVALUATION/APPRaisal											
SEXUAL HARASSMENT											
NON-SEXUAL HARASSMENT											
PAY--INCLUDING OVERTIME											
PROMOTION/ NON-SELECTION											
REASSIGNMENT											
RETIREMENT											
TIME AND ATTENDANCE											
TRAINING											
TERMS AND CONDITIONS OF EMPLOYMENT											
OTHER											
TOTAL											

## QUARTERLY COMPLAINTS AND TRAINING REPORT

## PART II: MILITARY INFORMAL COMPLAINTS

This report covers **military** complaints in the ☐ Quarter of Fiscal Year \_\_\_\_\_

EOA or CRO Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Unit: \_\_\_\_\_ Area of Responsibility: \_\_\_\_\_

**\*\* NOTE:** This report is due by the 5<sup>th</sup> calendar day after the end of each quarter and should be sent to the full-time servicing CRO (at MLCPAC/MLCLANT/Academy/Headquarters Support Command/ELC Baltimore) via e-mail or fax. CROs must consolidate the information submitted by the EOAs in their AORs and e-mail this form to G-HI no later than the 10<sup>th</sup> calendar day after the end of each quarter.

Total # of **initial** discrimination-related **contacts** in: 1<sup>st</sup> Qtr: ☐ 2<sup>nd</sup> Qtr: ☐ 3<sup>rd</sup> Qtr: ☐ 4<sup>th</sup> Qtr: ☐

**\*\* NOTE:** These include any **initial contact with an EOA following the CO/OINC's informal inquiry and resolution efforts**, where the EO counseling process is explained, **even if the contact results in the conclusion that the allegations are not an EO matter and no further inquiry is warranted**. Initial contact occurs on the date the **EOA** first contacted the aggrieved person to explain the complaint procedures and the informal resolution/ADR options, tolls the 10-day period within which the CO/OINC must arrange for the aggrieved person to meet with the EOA, and triggers the 30-day period within which counseling must be completed.

Total # of **informal complaints** received in: 1<sup>st</sup> Qtr: ☐ 2<sup>nd</sup> Qtr: ☐ 3<sup>rd</sup> Qtr: ☐ 4<sup>th</sup> Qtr: ☐

**\*\* NOTE:** These are limited to potential complaints that have proceeded to the point in the pre-complaint counseling phase where **the aggrieved person elects either the ADR option or an informal inquiry leading to the EOA's informal resolution efforts**.

BASES OF DISCRIMINATION ALLEGED IN INFORMAL COMPLAINTS								
ISSUE(S) OF ALLEGED DISCRIMINATION	RACE	COLOR	RELIGION	NAT'L ORIGIN	SEX		REPRISAL	TOTAL
					M	F		
CG PERSONNEL ACTIONS								
ACTIONS BY SUPERVISORS								
AWARDS/ RECOGNITION								
DISCHARGE								
DISPARATE TREATMENT								
DUTY ASSIGNMENT								
EVALUATIONS								
HOUSING								
PROMOTIONS								
PROVOKING SPEECH OR GESTURES								
SEXUAL HARASSMENT								
COMMUNITY								
HOUSING								
PUBLIC ACCOMMODATION								
OTHER HARASSMENT								
TOTAL								

**QUARTERLY COMPLAINTS AND TRAINING REPORT****PART III: HUMAN RELATIONS AWARENESS, SEXUAL HARASSMENT PREVENTION, AND  
ADR ORIENTATION TRAINING STATISTICS**This report covers all **training activity** in the ☐ Quarter of Fiscal Year \_\_\_\_\_

EOA or CRO Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Unit: \_\_\_\_\_ Area of Responsibility: \_\_\_\_\_

**\*\* NOTE:** This report is due by the 5<sup>th</sup> calendar day after the end of each quarter and should be sent to the full-time servicing CRO (at MLC PAC/MLCLANT/Academy/Headquarters Support Command/ELC Baltimore) via e-mail or fax. CROs must consolidate the information submitted by the EEO counselors in their AORs and e-mail this form to G-HI no later than the 10<sup>th</sup> calendar day after the end of each quarter.

	Total Number in AOR at Beginning of Quarter	Number Receiving HR Awareness Training During Quarter	Number Receiving SH Prevention Training During Quarter	Number Receiving ADR Orientation Training During Quarter
Military Members With Supervisory Authority Over Civilians				
Other Military Members				
Civilian Managers				
Civilian Employees				
Total				
CG Units in AOR				
CG Units Outside AOR				

## QUARTERLY REPORT ON EEO COUNSELING AND ADR ACTIVITY

### GENERAL INSTRUCTIONS

Area/MLC, Headquarters Support Command, ELC Baltimore, and Academy CROs are required to collect, consolidate, and submit this Report Form to Commandant (G-HI) no later than the 10<sup>th</sup> calendar day after the end of each quarter. This report must consolidate EEO counseling activity for the CRO's entire Area of Responsibility. Negative reports are required. Reports will be tabulated through the end of March, June, September, and December. Each subordinate unit must ensure that the relevant information is promptly forwarded to its respective full-time CRO no later than the 5<sup>th</sup> calendar day following the end of each quarter. This form can be locally reproduced.

### PART I. COUNSELING AND ADR ACTIVITY REPORTING PERIOD

This report covers pre-complaint informal counseling and ADR activity in the      Quarter of Fiscal Year     

EEO Counselor/EOA or CRO Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Unit: \_\_\_\_\_ Area of Responsibility: \_\_\_\_\_

### PART II. SUMMARY OF PRE-COMPLAINT COUNSELING ACTIVITY

**If the counseling is still in progress at the end of the quarter, the individual will not be counted until the quarter in which counseling is completed.**

TOTAL NUMBER OF INDIVIDUALS COUNSELED DURING QUARTER (a+b+c+d) \_\_\_\_\_

- a. \_\_\_\_\_ NUMBER COUNSELED WITHIN 30 DAYS
- b. \_\_\_\_\_ NUMBER COUNSELED WITHIN 31 TO 90 DAYS
- c. \_\_\_\_\_ NUMBER COUNSELED BEYOND 90 DAYS
- d. \_\_\_\_\_ NUMBER COUNSELED ON REMAND

### PART III. AGENCY WORKFORCE AND EEO RESOURCES

TOTAL NUMBER OF CIVILIAN EMPLOYEES (a+b) \_\_\_\_\_

- a. \_\_\_\_\_ NUMBER OF PERMANENT FULL-TIME AND PART-TIME (LESS THAN 40 HRS/WK)
- b. \_\_\_\_\_ NUMBER OF TEMPORARY AND INTERMITTENT

TOTAL NUMBER OF EEO COUNSELORS (a+b+c) \_\_\_\_\_

- a. \_\_\_\_\_ NUMBER OF FULL-TIME EEO COUNSELORS
- b. \_\_\_\_\_ NUMBER OF PART-TIME EEO COUNSELORS (ENGAGED ONLY IN EEO COUNSELING, TOUR = LESS THAN 40 HRS/WK)
- c. \_\_\_\_\_ NUMBER OF COLLATERAL DUTY EEO COUNSELORS (ENGAGED IN EEO COUNSELING AND OTHER DUTIES)

**QUARTERLY REPORT ON EEO COUNSELING AND ADR ACTIVITY****EEO COUNSELOR EXPERIENCE AND TRAINING**

- a. \_\_\_\_\_ TOTAL NUMBER OF NEWLY HIRED EEO COUNSELORS
- b. \_\_\_\_\_ NUMBER OF NEWLY HIRED EEO COUNSELORS RECEIVING 32 OR MORE HOURS OF BASIC TRAINING
- c. \_\_\_\_\_ TOTAL NUMBER OF EXPERIENCED EEO COUNSELORS
- d. \_\_\_\_\_ NUMBER OF EXPERIENCED EEO COUNSELORS RECEIVING 8 OR MORE HOURS OF REFRESHER TRAINING

**PART IV. SUMMARY OF INFORMAL COMPLAINT CLOSURES BY NON-ADR SETTLEMENT**

TOTAL NUMBER OF NON-ADR SETTLEMENT DURING THE QUARTER (a+b) \_\_\_\_\_

- a. \_\_\_\_\_ NUMBER OF NON-ADR SETTLEMENTS WITH MONETARY BENEFITS
- b. \_\_\_\_\_ NUMBER OF NON-ADR SETTLEMENTS WITH NON-MONETARY BENEFITS

TYPES OF CORRECTIVE ACTION	NUMBER WITH BACKPAY	AMOUNT	NUMBER WITHOUT BACKPAY	TOTAL NUMBER
HIRE				
a. RETROACTIVE				
b. NON-RETROACTIVE				
PROMOTION				
a. RETROACTIVE				
b. NON-RETROACTIVE				
DISCIPLINARY ACTION				
a. RESCINDED				
b. MODIFIED				
c. VOLUNTARY RESIGNATION				
REINSTATEMENT				
REASSIGNMENT				
PERFORMANCE EVALUATION MODIFIED				
PERSONNEL FILE PURGED OF ADVERSE MATERIAL				
TRAINING				
REASONABLE ACCOMMODATION				
COMPENSATORY DAMAGES				
LUMP SUM PAYMENT				
ATTORNEY'S FEES				
OTHER (Describe)				
TOTAL				

**QUARTERLY REPORT ON EEO COUNSELING AND ADR ACTIVITY****PART V. SUMMARY OF PRE-COMPLAINT ADR ACTIVITIES**

TOTAL NUMBER OF ADR ELECTIONS DURING THE QUARTER (a+b) \_\_\_\_\_

- a. \_\_\_\_\_ NUMBER ELECTED DIRECTLY
- b. \_\_\_\_\_ NUMBER ELECTED THROUGH COUNSELING

**PART VI. ADR AVAILABILITY AND RESOURCES**

TOTAL NUMBER OF CIVILIAN EMPLOYEES WHO CAN PARTICIPATE IN ADR

RESOURCES AVAILABLE IN HOUSE	ACTIVE DUTY MILITARY		CG CIVILIANS			TOTAL
	F/T	C/D	F/T	P/T	C/D	
CERTIFIED MEDIATORS						
TRAINED MEDIATORS						
TOTAL						

## RESOURCES USED

- a. \_\_\_\_\_ NUMBER OF DISPUTES MEDIATED BY IN HOUSE MEDIATORS
- b. \_\_\_\_\_ NUMBER OF DISPUTES MEDIATED BY MEDIATORS FROM OTHER FEDERAL AGENCIES
- c. \_\_\_\_\_ NUMBER OF DISPUTES MEDIATED BY NON-FEDERAL SOURCES (Describe)  
\_\_\_\_\_
- d. LOCAL MEDIATION COSTS (e+f) \_\_\_\_\_
- e. \_\_\_\_\_ TRAVEL EXPENSES
- f. \_\_\_\_\_ PER DIEM



**QUARTERLY REPORT ON EEO COUNSELING AND ADR ACTIVITY****BASIC MEDIATOR TRAINING**

- a. \_\_\_\_\_ NUMBER OF TEAM CG MEMBERS RECEIVING BASIC MEDIATOR TRAINING  
(List Vendors and Locations)

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- b. \_\_\_\_\_ NUMBER OF BASIC MEDIATOR TRAINING HOURS
- c. BASIC MEDIATOR TRAINING COSTS (d+e+f) \_\_\_\_\_
- d. \_\_\_\_\_ TUITION
- e. \_\_\_\_\_ TRAVEL EXPENSES
- f. \_\_\_\_\_ PER DIEM

**MEDIATOR REFRESHER TRAINING**

- a. \_\_\_\_\_ NUMBER OF TEAM CG MEMBERS RECEIVING MEDIATOR REFRESHER TRAINING  
(List Vendors and Locations)

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- b. \_\_\_\_\_ NUMBER OF BASIC MEDIATOR REFRESHER TRAINING HOURS
- c. MEDIATOR REFRESHER TRAINING COSTS (d+e+f) \_\_\_\_\_
- d. \_\_\_\_\_ TUITION
- e. \_\_\_\_\_ TRAVEL EXPENSES
- f. \_\_\_\_\_ PER DIEM

**CO-MEDIATION**

- a. \_\_\_\_\_ NUMBER OF CO-MEDIATIONS CONDUCTED BY TEAM CG MEMBERS
- b. CO-MEDIATION COSTS (c+d) \_\_\_\_\_
- c. \_\_\_\_\_ TRAVEL EXPENSES
- d. \_\_\_\_\_ PER DIEM

DEPT. OF TRANS., U.S.C.G., CG-5656C (rev 10-01)

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### QUARTERLY REPORT ON EEO COUNSELING AND ADR ACTIVITY

#### PART VII. STATUS OF ADR CASES

TOTAL NUMBER OF ADR CLOSURES (a+b+c+d+e) \_\_\_\_\_

- a. \_\_\_\_\_ NUMBER OF ADR SETTLEMENTS WITH MONETARY BENEFITS
- b. \_\_\_\_\_ NUMBER OF ADR SETTLEMENTS WITH NON-MONETARY BENEFITS
- c. \_\_\_\_\_ NUMBER OF ADR SETTLEMENTS WITHOUT BENEFITS
- d. \_\_\_\_\_ ADR FAILED
- e. \_\_\_\_\_ OTHER (Describe) \_\_\_\_\_

TYPES OF CORRECTIVE ACTION	NUMBER WITH BACKPAY	AMOUNT	NUMBER WITHOUT BACKPAY	TOTAL NUMBER
HIRE				
a. RETROACTIVE				
b. NON-RETROACTIVE				
PROMOTION				
a. RETROACTIVE				
b. NON-RETROACTIVE				
DISCIPLINARY ACTION				
a. RESCINDED				
b. MODIFIED				
c. VOLUNTARY RESIGNATION				
REINSTATEMENT				
REASSIGNMENT				
PERFORMANCE EVALUATION MODIFIED				
PERSONNEL FILE PURGED OF ADVERSE MATERIAL				
TRAINING				
REASONABLE ACCOMMODATION				
COMPENSATORY DAMAGES				
LUMP SUM PAYMENT				
ATTORNEY'S FEES				
OTHER (Describe)				
TOTAL				

TOTAL NUMBER OF OPEN (PENDING) ADR CASES \_\_\_\_\_